IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO. 4338 OF 2006

Date of decision : October 16, 2006

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Yasin & others .....Petitioner

Vs.

Dakshin Haryana Bijli Vitran Nigam Ltd. & anr. .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. Lokesh Sinhal, Advocate for the petitioner(s).
Mr. Ashok Jindal, Additional Advocate General, Haryana.

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Viney Mittal, J. (Oral)

The petitioners have approached this Court for issuance of directions to the respondents to pay compensation to the tune of Rs. 5,00,000/- on account of death of Smt. Baso wife of petitioner no.1 and

mother of petitioners no. 2 to 4 due to electrocution on coming into contact with broken live wire. According to the petitioners the said broken wire was lying unattended in the fields of the petitioners on account of the negligence of the respondents.

Any negligence on behalf of the respondents/department has been denied in the written statement.

After hearing learned counsel for the parties and taking into consideration the facts of the case and the pleas raised by the parties, we find that the disputed questions of fact arise for determination which cannot be adjudicated by this Court for want of evidence. Consequently, we relegate the petitioners to seek their remedies before the Civil Court, if so advised.

Disposed of with the aforesaid liberty.

Copy of the order be given dasti on payment of the usual charges.

(VINEY MITTAL)
JUDGE

October 16, 2006
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(H.S BHALLA)
JUDGE